

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

DAVID DAVIS,	)	
	)	Case Number:
Plaintiff	)	
	)	3:06-CV-0544-WHA
v.	)	
	)	
PHENIX CITY, ALABAMA, et al.	)	
	)	
Defendants.	)	

**DEFENDANTS' AMENDED LIST OF EXHIBITS**

Come now the Defendants in the above styled cause and amends their list of trial exhibits by adding exhibit 26 to the list of exhibits previously filed, as follows:

1. Letter from H. H. Roberts to union representative dated March 15, 2005.
2. Newspaper article entitled "Three Alarm Turmoil".
3. Statement of David Davis dated September 20, 2005.
4. (A – H) Statement of firefighters, regarding talking to media.
5. Counseling form dated September 21, 2005, signed by David Davis.
6. Statement and attachments dated September 20, 2005, signed by David Davis.

7. Letter dated January 31, 2006 to H. H. Roberts from Harold Shaitberger.
8. Memo to Wallace Hunter from Roy Waters dated February 6, 2006.
9. Letter dated February 14, 2006 to Harold Shaitberger from H. H. Roberts.
10. Phone message for Mayor Hardin from David Davis dated April 17, 2006.
11. Ordinance number 2006-13 adopted April 18, 2006.
12. Typed statement of David Davis to Fire Chief Wallace Hunter dated April 19, 2006.
13. Merit system rules and regulations of the City of Phenix City.
14. ASOP number 12, Phenix City Fire Department.
15. City charter of City of Phenix City.
16. Memo to H. H. Roberts from Wallace Hunter dated April 20, 2006.
17. Written warning form dated April 20, 2006 and signed on April 21, 2006.
18. End of employment form executed on April 21, 2006.

19. Memo from David Davis to Barbara Goodwin dated April 28, 2006, requesting a personnel review board hearing.

20. Letter from Barbara Goodwin to David Davis dated May 3, 2006.

21. Minutes of personnel review board upholding termination.

22. Letter from H. H. Roberts to David Davis upholding termination, May 18, 2006.

23. Complete personnel file of David Davis.

24. Tax returns of David Davis for 2005 and 2006.

25. Payroll exhibit showing monetary value of time lost from job by David Davis due to termination.

26. City of Opelika Fire Department SOP 11- Chain of Command.

Defendants reserve the right to use any exhibit offered by Plaintiff.

*/s/ James R. McKoon, Jr.*

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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 4<sup>th</sup> day of January, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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*/s/ James R. McKoon, Jr.*

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OF COUNSEL